

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

AMERICAN BANK HOLDINGS, INC.,

Appellant

v.

ST. PAUL MERCURY INSURANCE
COMPANY,

Appellee.

Case No. 15-1559
(8:09-cv-00961-RWT)

**CONSENT MOTION TO EXTEND TIME TO
FILE APPELLANT'S REPLY BRIEF AND REPLY IN SUPPORT OF MOTION TO
CERTIFY QUESTIONS OF LAW TO THE COURT OF APPEALS OF MARYLAND**

Appellant, American Bank Holdings, Inc., with the consent of St. Paul Mercury Insurance Company, pursuant to FRAP 27 and Local Rules 27(d)(2) and 31(c), respectfully requests that the Court extend the deadlines to file Appellant's Reply Brief (from October 23, 2015) and Reply in Support of its Motion to Certify Questions of Law to the Court of Appeals (from October 16, 2015) to November 6, 2015, and for reasons states:

1. Pursuant to Local Rule 27(a)(4), Appellant's Reply in Support of its Motion to Certify Questions of Law to the Court of Appeals is due to be filed by this upcoming Friday, October 16, 2015. Pursuant to the existing Briefing Order, Appellant's Reply Brief is due to be filed by the following Friday, October 23, 2015. This motion asks that the Court extend those deadlines by three and two weeks, respectively.

2. Due to an unexpected ruling in a separate matter which extended the discovery period on an expedited schedule, counsel for Appellant must prepare for and conduct five depositions and prepare for and attend a Final Pretrial Conference in Alexandria, Virginia in the next two weeks. *See Amiri v. DynCorp*, Case No. 1:15-cv-00200 (LMB/IDD).

3. Counsel for Appellant anticipates that complying with the ruling extending discovery will occupy a significant portion of this week (the week of October 12-16) and next week (the week of October 17-23)—the same two weeks that are currently allocated for completing briefing in this appeal.

4. In light of counsel's obligations outlined above, Appellant requests a two-week extension—*i.e.*, until November 6, 2015—for Appellant to file its Reply Brief. Appellant requests a three-week extension—also until November 6, 2015—to the deadline for Appellant to file its Reply in Support of its Motion to Certify Questions of Law to the Court of Appeals, which would consolidate that deadline with the requested amended briefing schedule.

5. Appellant's two filings that are the subject of this motion represent the final filings in this matter, and thus, no further extensions will be requested by any party prior to oral argument (should the Court grant the parties' respective requests for oral argument).

6. Appellee's counsel has authorized Appellant to represent that Appellee consents to the requested relief.

WHEREFORE, for all of the foregoing reasons, Appellant requests the Court to extend the deadline for filing its Reply Brief and Reply in Support of its Motion to Certify Questions of Law to the Court of Appeals to November 6, 2015.

Respectfully submitted,

/s/ Dwight W. Stone, II

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of October, 2015, a copy of the foregoing was sent via U.S. Mail, first class postage prepaid and filed electronically via the CM/ECF system, which will send notice of such filing to the following registered CM/ECF users:

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